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IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 17563 of 2003

Between:

M.Suman Babu S/o.M.Mohan Babu
R/o.H.No.104-F-Sector-IV, Ukku Nagaram, Visakhapatnam.

..... PETITIONER

AND

- 1 The Principal, Gokul Institute of Technology & Sciences
Priridi Post, Bobbili Mandal Vizianagaram District.
- 2 Jawaharlal Nehru Technological University, Kukatpally, Hyderabad
rep.by its Vice Chancellor.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ order or direction more particularly one in the nature of Writ of Mandamus declaring action of the respondents in expelling the petitioner from college by an order dt.5.4.2003 is arbitrary, illegal and consequently direct the respondents to conduct the examination to the petitioner and to permit him to attend the college along with his batchmates without loss of either a semester or an Academic year.

Counsel for the Petitioner : MR. ANDAPALLI SANJEEV KUMAR

Counsel for the Respondent No.2: Mr. C.KODANDA RAM

Counsel for the Respondent No.1: MR. C.SRINIVASA BABA

The Court made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.17563 OF 2003

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ORAL ORDER :

This writ petition is filed questioning the action of the respondents in expelling the petitioner from the college by order dated 05-04-2003.

Though the petitioner sought for interim suspension of the said order, this Court declined to grant such a relief and the W.P.M.P.No.21858/2003 was dismissed on 23-09-2003.

Today, when the matter is taken up for hearing, the learned Counsel for the petitioner states that the petitioner is not interested in prosecuting the writ petition and therefore no further adjudication is necessary on merits.

However, the learned Counsel for the petitioner across the Bar states that the first respondent – The Principal, Gokul Institute of Technology & Science, Piridi Post, Bobbili Mandal, Vizianagaram district has withheld the original certificates of the petitioner and the same have not been returned so far. In the absence of any pleading or material to substantiate the said allegation, I am not inclined to go into the said issue. However, it is made clear that the order in this writ petition shall not

preclude the petitioner to make appropriate representation before the first respondent for return of the certificates, in which event, the same may be considered in accordance with law.

Subject to above observation, the Writ Petition is dismissed. No costs.

01st December, 2004.

gbs

To

- 1 The Principal, Gokul Institute of Technology & Sciences
Priridi Post, Bobbili Mandal Vizianagaram District.
 - 2 The Vice Chancellor, Jawaharlal Nehru Technological University, Kukatpally,
Hyderabad.
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